

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Implementation of the Local Competition)
Provisions in the Telecommunications Act)
of 1996)

CC Docket No. 96-98

Inter-Carrier Compensation)
for ISP-Bound Traffic)

CC Docket No. 99-68

To: The Commission

PETITION FOR
RECONSIDERATION
and/or
CLARIFICATION

of the

Independent Alliance
on
Inter-Carrier Compensation

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SUMMARY

The Independent Alliance files this Petition for Reconsideration and/or Clarification of the Commission's *Order* addressing the inter-carrier compensation for ISP-Bound Traffic. For the reasons stated in the Petition, the Commission, on reconsideration, should modify the *Order* to confine the conclusions and directives to ISP-Bound Traffic. The notice and record in the proceeding did not address other forms and traffic. Accordingly, the directives should not be applied to other forms of traffic.

In the *Order*, the Commission draws conclusions about ISP-Bound Traffic, decides that this traffic is not within the ambit of Section 251(b)(5) of the Act, prescribes a specific compensation scheme for this non-Section 251(b)(5) traffic, but then proceeds to extend this approach to all inter-carrier traffic, regardless of whether the traffic is ISP-bound.

This decision essentially moves the LEC industry to a bill-and-keep framework for all inter-carrier arrangements without proper consideration of the impact, the public interest, or the statutory requirements. The *Order*, if not modified, would result in unnecessary administrative cost and loss of network cost recovery for rural telephone companies. Accordingly, the directives in the *Order* should be confined to ISP-Bound Traffic as a means: (1) to properly limit the scope of the *Order* to the subject matter; (2) to avoid unnecessary disruption to LEC's cost recovery sources; (3) to avoid further regulatory arbitrage opportunities; and (4) to ensure that the long-term rulemaking decision is not prejudiced by premature adoption of a bill-and-keep approach prior to full examination of the issues and prior to the establishment of a replacement cost recovery mechanism.

The *Order* also unnecessarily withdraws State commission authority over intrastate services that the Commission previously reserved to the States. By limiting the *Order* on reconsideration, States will retain this authority without disruption to the existing arrangements.

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To: The Commission

PETITION FOR RECONSIDERATION and/or CLARIFICATION

The Independent Alliance on Inter-Carrier Compensation (referred to as the "Alliance") files this Petition for Reconsideration and/or Clarification of certain ancillary issues presented by the *Order on Remand and Report and Order* released on April 27, 2001, in the proceedings captioned above ("*Order*").¹ Reconsideration and/or clarification of the *Order* is required: (1) to properly limit the scope of the *Order* to the subject matter of the proceeding; (2) to avoid unnecessary disruption to network cost recovery and operations of rural telephone companies; (3) to avoid either prejudice or a premature determination of the long-term inter-carrier compensation framework prior to a full examination of the issues or prior to the establishment of a replacement mechanism that will preserve the existing universal service result; and (4) to avoid unnecessary preemption of State authority over existing inter-carrier arrangements between local exchange carriers. As this Petition concludes, the Commission should modify its *Order* to confine the conclusions and directives to the subject matter of the proceeding; *i.e.*, traffic bound to Internet service providers ("ISP-Bound Traffic").²

¹ 66 Fed. Reg. 26800, May 15, 2001.

² With this reconsideration request, the Alliance is also filing a request with the Commission for a stay of all of the aspects of the *Order* other than those that apply with respect to ISP-Bound Traffic.

The Alliance is an *ad hoc* coalition of over 100 rural incumbent local exchange carriers ("LECs") that has been formed to address those aspects of the *Order* which require reconsideration and the related long-term inter-carrier compensation issues for smaller, rural LECs.³ Neither the Alliance nor its members have directly participated previously in this proceeding because, on the basis of the subject matter that the Commission clearly established -- *i.e.*, consideration of ISP-Bound Traffic -- the Alliance members had no reason to anticipate that the Commission's *Order* would ultimately affect inter-carrier relationships regarding non-ISP traffic. The ultimate effects of the *Order* on the operations of the members of the Alliance with respect to non-ISP traffic, which could not have been anticipated, may be extensive and are likely to limit the opportunity for Alliance members and other small rural telephone companies to recover the costs of their networks that provide universal local and access services.⁴

In this Petition, the Alliance does not take issue with the Commission's *Order* to the extent that the *Order* addresses ISP-Bound Traffic. The Alliance limits its Petition to the impact of the *Order* on non-ISP traffic, and the absence of any basis on the record in fact or law to require modifications to inter-carrier arrangements for non-ISP traffic.

I. Introduction.

A. This Record in this Proceeding is Limited to ISP-Bound Traffic.

The subject matter addressed in the *Order* had its origins in petitions filed by competitive and incumbent LECs following the original competitive interconnection decision in August of

³ Attachment A to this Petition sets forth the names of the companies participating in the Alliance as of the time of this filing.

⁴ Accordingly, with respect to Sections 1.106(b)(1) and 1.429(b) of the Commission's rules, the Alliance members have both significant interests that are adversely affected by the *Order* and good cause and reason for not participating in earlier stages of this proceeding.

1996.⁵ The precipitating petitions, and the *Declaratory Ruling and NPRM* which followed, were clearly focused on the examination of the treatment of ISP-Bound Traffic and inter-carrier compensation with respect to ISP-Bound Traffic. In its *Declaratory Ruling and NPRM*, the Commission concluded that ISP-Bound Traffic is largely interstate and prescribed a flexible approach, within the framework of interconnection agreements and State commission authority, for carriers to address new and existing inter-carrier terms and conditions governing termination compensation for ISP-Bound Traffic.⁶ The Commission did not address or propose to examine other forms of traffic.⁷

On March 24, 2000, the United States Court of Appeals for the D.C. Circuit vacated certain provisions of the *Declaratory Ruling and NPRM* decision and remanded the matter to the Commission.⁸ Here again, the Court describes the Commission's action in the *Declaratory Ruling and NPRM* as entailing the consideration of calls to ISPs. In fact, the entire discussion of the Court is related to the Commission's analysis of which provisions of the Communications Act of 1934, as amended, should apply to ISP-Bound Traffic and what the proper compensation terms between carriers should be for the termination of ISP-Bound Traffic.

⁵ See *Declaratory Ruling in CC Docket No. 96-98 and Notice of Proposed Rulemaking in CC Docket No. 99-68*, 14 FCC Rcd 3689 (1999)(rel. in the dockets captioned above) ("*Declaratory Ruling and NPRM*") at n. 1.

⁶ *Id.* at para. 1.

⁷ A review of the notice and rulemaking portion of the *Declaratory Ruling and NPRM* demonstrates that the Commission's proposed administrative action was directed at "inter-carrier compensation for ISP-bound traffic." *Id.* at para. 28. Literally every paragraph and nearly every sentence in the rulemaking section of the *Declaratory Ruling and NPRM* either refers explicitly to ISP-Bound Traffic or refers indirectly to issues under consideration with respect to ISP-Bound Traffic. *Id.* at paras. 28-36.

⁸ See *Bell Atl. Tel. Cos. v. F.C.C.*, 206 F.3d 1 (D.C. Cir. 2000)

On June 23, 1999, following the Court's vacatur and remand, the Commission released a *Public Notice* seeking a new round of comments in light of the Court's action. Once again, the Commission clearly states that the proceeding involves the need "to address the issue of inter-carrier compensation for the delivery of telecommunications traffic to an Internet service provider."⁹ Nearly every sentence in the *Public Notice* describes the proceeding and the need for further comment with regard to application of the Act and the Court's remand in the context of **ISP-Bound Traffic**.

Finally, in the *Order*, the Commission summarizes its action as the reconsideration of "the proper treatment for purposes of inter-carrier compensation of telecommunications traffic delivered to [ISPs]."¹⁰ The history of this proceeding has produced volumes of record material discussing alternative provisions of the Act under which ISP-Bound Traffic should be considered, the provisions of the Commission's Rules that should govern inter-carrier compensation for ISP-Bound Traffic, and the procedural processes that competitive and incumbent LECs should employ to resolve disputed interconnection arrangements with respect to ISP-Bound Traffic.

B. The *Order* Decides Issues Far Beyond ISP-Bound Traffic.

While the *Order* purports to deal uniquely with the issue and treatment of ISP-Bound Traffic, the provisions of the *Order* are, in fact, drafted in a manner that directly affects all non-access inter-carrier traffic and indirectly affects all other traffic.

In the *Order*, the Commission goes to great lengths to explain that ISP-Bound Traffic is "information access" and that Section 251(g) of the Act addresses the treatment of such

⁹ *Public Notice*, FCC 00-227, released June 23, 1999, at 1.

¹⁰ *Order* at para. 1.

information access.¹¹ The Commission concludes that ISP-Bound Traffic **is not** within the scope of Section 251(b)(5) of the Act and prescribes what is effectively a mandatory compensation framework to govern this **non-Section 251(b)(5) traffic**. The Commission also requires that for any new agreements for the exchange of ISP-Bound Traffic, the termination compensation mechanism must be on a bill-and-keep (*i.e.*, no terminating compensation) basis.¹²

The *Order*, however, is not confined to ISP-Bound traffic. Although the Commission initially indicates that its analysis addresses **traffic that is not the subject of Section 251(b)(5)**, the Commission expands the scope of the decision to address **traffic that is the subject of Section 251(b)(5)**. Once a LEC enters into a new agreement covering compensation for the exchange of ISP-Bound Traffic,¹³ the *Order*, without a proper basis in the record, requires that such LECs offer the same compensation terms for traffic that falls within the scope of Section 251(b)(5).¹⁴ The effect of this “mirroring” provision is that once a LEC enters into its first or next agreement with bill-and-keep provisions that address non-Section 251(b)(5) ISP-Bound traffic, the LEC has no choice but to offer bill-and-keep to all connecting carriers, regardless of whether the traffic is outside the scope of Section 251(b)(5) (as with ISP-Bound traffic). The effect of these provisions is to force both non-Section 251(b)(5) traffic and all Section 251(b)(5) traffic to a bill-and-keep (or capped rate) inter-carrier compensation result in any instance where an

¹¹ See, generally, *Order* at paras. 18-52.

¹² *Order* at para. 81. For other agreements, the *Order* prescribes capped compensation rates which transition to near zero.

¹³ According to the *Order*, all new agreements must be on a bill-and-keep basis and existing arrangements will be converted to Commission-prescribed capped rates either immediately or upon renewal. *Id.* at paras. 78-82.

¹⁴ *Order* at para. 89.

adversary of an incumbent LEC demands such treatment regardless of the LEC's statutory right to terminating compensation.

In summary, the Commission draws conclusions about a specific subset of traffic (i.e., ISP-Bound Traffic), decides that this traffic is not within the ambit of Section 251(b)(5) of the Act, prescribes a specific compensation scheme for this non-Section 251(b)(5) traffic, and then proceeds to extend this approach to all inter-carrier traffic, regardless of whether the traffic is ISP-Bound Traffic, or not. In so doing, the Commission has improperly utilized the ISP-Bound Traffic proceeding to prescribe a mandatory compensation method for all traffic. This action goes well beyond the ostensible subject of the proceeding and adopts new rules with respect to arrangements and traffic that were not examined or explained in the record. As discussed below, this improper expansion of the decision will cause unwarranted and unnecessary disruption for carriers.¹⁵ For these reasons, the *Order* should be reconsidered, and the conclusions should, instead, be confined to ISP-Bound Traffic consistent with the notice provided to the industry and the record developed in the proceeding. The *Order* should not affect non-ISP-Bound traffic or disrupt the current arrangements that the Alliance members have in place in their States for all non-ISP-Bound traffic.

¹⁵ Neither the *Declaratory Ruling and NPRM* nor the *Public Notice* provided notice to the public of the Commission's intent to adopt rules governing non-ISP-bound traffic in violation of the Administrative Procedures Act ("APA"). 5 USC 553(b)(3). The rules that were adopted cannot be construed to be a "logical outgrowth" of the *Public Notice*. The adversely affected LECs thus had no realistic opportunity to comment on the non-ISP traffic aspects.

II. The *Order* Essentially Moves the Industry to a Bill-and-Keep Framework Without Any Consideration of the Impact, the Public Interest, or Statutory Requirements.

As described above, as soon as a LEC enters into a bill-and-keep agreement to address the regulatory arbitrage effects of ISP-Bound Traffic, the *Order* subjects all of its inter-carrier agreements to a bill-and-keep result. Under the Commission's *Order*, all LECs will be pushed into a bill-and-keep approach for inter-carrier compensation arrangements. While the provisions of the *Order* require this immediate and arbitrary result in the absence of basis in fact or law, the Commission has recently released a *Notice of Proposed Rulemaking* in CC Docket No. 01-92 ("*Long-Term Rulemaking*") where, for the first time, the Commission seeks comment on a fundamental change in inter-carrier compensation arrangements -- the very arrangements that are affected by the *Order*.¹⁶ The Commission has not yet begun this examination and has no way of knowing whether or how any proposal can be reconciled with the cost recovery requirements of carriers and the universal service results that the current system has so successfully achieved. Yet in the midst of the initiation of consideration of these issues, the *Order* severely impacts existing inter-carrier arrangements for traffic other than ISP-Bound Traffic without waiting for the development of a record and the full consideration that the Commission has ostensibly undertaken in the *Long-Term Rulemaking*.

The Commission apparently considers the impact of the *Order* on non-ISP-Bound Traffic to be an "interim approach," pending the completion of the Long-Term Rulemaking. No basis exists, however, to impose any "interim approach" or modification to existing interconnection arrangements for non-ISP-Bound traffic. With respect to Section 251(b)(5) and intrastate access arrangements, the law is clear and does not permit the imposition of rules or interim approaches

¹⁶ 66 Fed. Reg. 28410, May 23, 2001.

that would abrogate a carrier's rights.¹⁷ Moreover, the APA expressly provides for a specific notice-and-comment method of rulemaking that has not been followed here.

The *Order* will result in an impact on cost recovery beyond that which is considered "local" interconnection. The Commission's rules already include provisions which confusingly enable the "local" interconnection framework to overlap substantially with the provision of access services. Existing rules already foster a regulatory arbitrage overlap under which Commercial Mobile Radio Service ("CMRS") providers terminate very long distance traffic (*e.g.*, across Major Trading Areas) according to local interconnection terms, instead of interexchange access services.¹⁸ Moving these arrangements to bill-and-keep as the *Order* would require would only further exacerbate the overlapping effects, the disparate treatment, and the resulting arbitrage opportunity, without addressing the cost recovery impact on the affected LECs and without the development of a rational, unified, and non-discriminatory plan.

While the *Long-Term Rulemaking* may lead to the replacement of the compensation terms and the resulting cost recovery mechanisms under which LECs operate, the fact is that these carriers currently rely on these sources for their network cost recovery. The emerging "slippery

¹⁷ See, *e.g.*, Section 251(d)(3) of the Act which addresses State access regulations and Section 252(d)(2) of the Act which prescribes the compensation to which a LEC is entitled for the transport and termination of traffic pursuant to Section 251(b). 47 USC §251(d)(3) and §252(d)(2). Arbitrary imposition of "bill and keep," even on an "interim basis" is not consistent with the LEC's statutory rights.

¹⁸ The disparate interconnection terms that apply with respect to CMRS providers' interconnection are the subject of a pending petition for reconsideration of the original competitive interconnection decision. The petition in that proceeding explains how the use of Major Trading Areas leads to a distortion in competition, jurisdictional shifts in costs, and discriminates against landline carriers. Petition for Reconsideration filed by the Local Exchange Carrier Coalition on September 30, 1996, in CC Docket Nos. 96-98 and 95-185 at 16-17. This petition has never been addressed or resolved by the Commission.

slope” that the *Order* would unleash will move all overlapping forms of compensation decisively in a no-compensation direction. Whether it be compensation for local interconnection arrangements or compensation where local interconnection and access effectively overlap, the *Order* will pressure carriers to move affected compensation mechanisms to a no-compensation approach. If not reconsidered, the *Order* would improperly disregard the fact that the current inter-carrier compensation revenues are an integral part of the rate design and a source of cost recovery for rural telcos, and that there is no mechanism yet to replace these sources. As the Commission is fully aware from its examination of universal service support for Rural Telephone Companies, if existing cost recovery sources are simply taken away, the results will be unreasonably high basic service rates as cost recovery is shifted to the end user’s basic rates. In addition, the Commission has recognized that unstable cost recovery mechanisms are likely to lead to reduced investment in areas served by rural telcos.

In the absence of the adoption of any meaningful cost recovery replacement, the Commission cannot avoid the procedural requirement that it must fully examine the facts and provide the opportunity for the development of a complete record before adopting changes in carrier’s cost recovery sources. In this instance, such an examination requires that the Commission fully consider the interests of all parties and the public with respect to the full impact of any potential change. In this proceeding, this examination has taken place only with respect to ISP-Bound Traffic and the inter-carrier implications of ISP-Bound Traffic, and accordingly, the *Order* should be reconsidered to confine its scope properly.

The result of the *Order*, if not modified, would be to restrict the network cost recovery revenue sources of LECs. In turn, this result would cause unnecessary volatility in the operations of the Alliance members and other small rural telephone companies, would subject them to

needless uncertainty, and would discourage investment in advanced services. Without modification, the Order will produce adverse results not contemplated or examined in the proceeding.

Accordingly, the Commission should confine the impact of the *Order* to ISP-Bound Traffic only. The Commission should conduct the *Long-Term Rulemaking* to examine the cost recovery effects of changes in inter-carrier compensation. Only then, and only if a proper replacement mechanism can be constructed, should the Commission move to modify the network cost recovery sources of LECs beyond the ISP-Bound Traffic implications. The *Order* requires reconsideration because it prematurely decides the issues to be examined in the *Long Term Rulemaking* without a record and without a cost recovery replacement plan that is consistent with the statutory requirements.

III. The Authority Over Intrastate Telecommunications Services Previously Reserved for the States Should Not Be Unnecessarily Preempted.

The *Order* presumes, for wireline carriers, that traffic exchanged between carriers is of only two varieties. According to the new rules, the first type is interstate or intrastate exchange access, information access, or exchange services for access ("Class 1"), and the second is all other traffic ("Class 2").¹⁹ Because the Commission had not previously explained that its ISP-Bound Traffic decision would affect all traffic, there was no opportunity for parties to comment on whether this definition is proper or workable.²⁰ As explained below, the Commission should

¹⁹ See *Order*, Appendix B-Final Rules, new rule § 51.701(b)(1).

²⁰ The Commission presumes incorrectly that carriers have a uniform and definitive set of criteria to determine whether traffic fits the Class 1 or Class 2 definitions. There is no "black and white" test. Accordingly, States should retain the authority to decide how various forms of traffic fit into the connecting carrier framework. In this way, the treatment of traffic and the conceptual
(continued...)

retain the former rules which allowed States the flexibility to determine the treatment of intrastate telecommunications services in the context of local service areas.

In its original *Local Competition Order*, the Commission concluded that it lacked “sufficient record information to address the issue of expanded local area calling plans” and decided that issues related to local service areas would “be considered, in the first instance, by state commissions.”²¹ Moreover, the Commission explicitly left to the States the authority to decide “whether section 251(b)(5) reciprocal compensation provisions apply to the exchange of traffic between incumbent LECs that serve adjacent service areas.”²²

States have proceeded to examine intrastate telecommunications traffic consistent with the rational flexibility that the FCC afforded. States have adopted applications that are consistent with preserving the public policy benefits of expanded calling scope services. The FCC was correct in its original decision that individual circumstances and different types of intrastate traffic present substantial considerations which would be difficult for the Commission to examine. Accordingly, the consideration and examination of the treatment of this traffic should best be left

²⁰(...continued)

approach to inter-carrier relationships will be reviewed by State commissions in the context of the actual circumstances of carriers operating in that State.

²¹ *First Report and Order*, In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, 11 FCC Rcd. 15499 (1996)(“*Local Competition Order*”), aff’d in part and vacated in part sub nom. *Competitive Telecommunications Ass’n v. FCC*, 117 F.3d 1068 (8th Cir. 1997) and *Iowa Utils. Bd. v. FCC*, 120 F.3d 753 (8th Cir. 1997), aff’d in part and remanded, *AT&T v. Iowa Utils. Bd.*, 525 U.S. 366 (1999) at para. 1035.

²² *Id.* Furthermore, the Commission concluded (with the exception of CMRS traffic) that “state commissions have the authority to determine what geographic areas should be considered ‘local areas’ for the purpose of applying reciprocal compensation obligations under section 251(b)(5), consistent with the state commissions’ historical practice of defining local service areas for wireline LECs.” *Id.* The Commission left to the States to decide the treatment of traffic where the local service areas of individual LECs do not overlap or only partially overlap. *Id.*

to the local commissions that are most familiar with both the issues and the public interest implications. There has been no change in facts or circumstances considered or identified that would justify a departure from the Commission's earlier decision that State commissions are in a better position to examine the potential effects of different approaches. There exists today a variety of expanded calling scope arrangements in the states which, as the Commission correctly concluded initially, should be left to the States.

By modifying the *Order* to make explicit that the decision applies only with respect to ISP-Bound traffic (as requested above), there will be no reason for maintaining the newly adopted definitions of traffic classifications that appear to deprive the States of the previous flexibility that they have already applied. The previous Section 51.701 rules should be reinstated, and, consequently, the States' role would not change or be unnecessarily diminished.

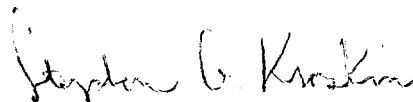
IV. Conclusion.

For the reasons stated herein, the Commission should reconsider or clarify, as necessary, the *Order* to confine the decision regarding inter-carrier compensation methods to only ISP-Bound Traffic. The treatment of ISP-Bound traffic is the subject matter of the proceeding, and the decision should not be extended to other forms of traffic in the absence of a full notice and comment proceeding. This reconsideration action will avoid unnecessary disruption to LEC's cost recovery sources, will avoid further regulatory arbitrage opportunities, and will ensure that the long-term inter-carrier rulemaking is not prejudiced by prematurely adopting a bill-and-keep approach in the absence of a replacement plan. Finally, limiting the *Order* to ISP-Bound Traffic will avoid unnecessarily disrupting the authority that the Commission has previously determined should be left to the States with respect to the determination of connecting carrier treatment of various forms of intrastate telecommunications.

Respectfully submitted,

INDEPENDENT ALLIANCE ON INTER-
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ATTACHMENT A

MEMBERS OF THE INDEPENDENT ALLIANCE ON INTERCARRIER COMPENSATION

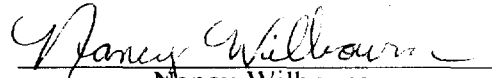
Adams Telephone Cooperative, Illinois
Alenco Communications Inc., Texas
Alpine Communications, Iowa
Armstrong Telephone Company of Maryland
Armstrong Telephone Company of New York
Armstrong Telephone Company of Pennsylvania
Armstrong Telephone Company of West Virginia
Barry County Telephone Company, Michigan
Bay Springs Telephone Co., Inc., Mississippi
Bentleyville Communications Corporation, Pennsylvania
Berkshire Telephone Company, New York
Campti-Pleasant Hill Telephone Co., Louisiana
Cap Rock Telephone Cooperative, Inc., Texas
Central Montana Communications, Montana
The Champlain Telephone Company, New York
Chazy & Westport Telephone Corp., New York
Chester Telephone Com., South Carolina
Chickasaw Telephone Company, Oklahoma
Citizens Telephone Company of Hammond, N.Y., Inc, New York
Clear Lake Independent Telephone Company, Iowa
Climax Telephone Co., Michigan
Coalfields Telephone Company, Kentucky
Coastal Utilities, Inc., Georgia
Coleman County Telephone Cooperative, Texas
Colorado Valley Telephone Cooperative, Inc., Texas
Consolidated Telecom., North Dakota
Consolidated Telephone Company, Nebraska
Copper Valley Telephone Company, Arizona
Crockett Telephone Co., Inc., Tennessee
Darien Telephone Company, Georgia
Daviess Martin County Rural Telephone Corporation d/b/a RTC Communications, Indiana
The Deerfield Farmers' Telephone Company, Michigan
Delta Telephone Co., Inc., Mississippi
Dunkirk & Fredonia Telephone Co., New York
Egyptian Telephone Cooperative Association, Illinois

Five Area Telephone Cooperative, Inc., Texas
Franklin Telephone Co., Inc., Mississippi
Gallatin River Communications, Illinois
Georgetown Telephone Company, Mississippi
Germantown Telephone Company, Inc., New York
Gila River Telecommunications, Inc., Arizona
Glenwood Telephone Company, Georgia
Great Plains Communications, Nebraska
Gulf Telephone Company, Alabama
Hardy Telecommunications, Inc., West Virginia
Home Telephone Co., Illinois
Horry Telephone Cooperative, Inc., South Carolina
Lackawaxen Telephone Co., Pennsylvania
La Harpe Telephone Co., Inc., Illinois
Lakeside Telephone Co., Mississippi
Ligonier Telephone Co., Inc., Indiana
Lincolnton Telephone Company, Maine
McDonough Telephone Cooperative, Illinois
Mehtel, Inc., North Carolina
Mid Century Telephone Cooperative, Illinois
Mid Maine Communications, Maine
Mid-Missouri Telephone Company, Missouri
Mid-Rivers Telephone Cooperative, Inc., Montana
Midstate Telephone Company, North Dakota
Modern Telecommunications Company, Missouri
National Telephone Co. of Alabama, Inc., Alabama
The Nebraska Central Telephone Company, Nebraska
Nehalem Telephoe and Telegraph Co., Oregon
Nelson Telephone Cooperative, Wisconsin
Nemont Telephone Cooperative, Montana
New Paris Telephone Co., Indiana
New Windsor Telephone Co., Inc., Illinois
North Central Telephone Cooperative, Tennessee
Northeast Missouri Rural Telephone Company, Missouri
Northeast Nebraska Telephone Co., Nebraska
The North-Eastern Pa. Telephone Co., Pennsylvania
North Pittsburgh Telephone Co., Pennsylvania
Ontario Telephone Co., New York
Otelco Telephone LLC, Alabama
Peoples Telephone Co., Inc., Tennessee
Perry-Spencer Rural Telephone Cooperative, Inc., Indiana
Piedmont Rural Telephone Cooperative, South Carolina
Pioneer Telephone Cooperative, Inc., Oklahoma
Pioneer Telephone Cooperative, Oregon
Poka Lambro Telephone Cooperative, Inc., Texas

Project Telephone Company, Montana
Reynolds Telephone Company, Illinois
Roanoke Telephone Co., Inc., Alabama
San Carlos Apache Telecommunications Utility, Inc., Arizona
Siskiyou Telephone, California
Skyline Telephone Cooperative, North Carolina
Sledge Telephone Co., Mississippi
Smithville Telephone Company, Indiana
Springport Telephone Co., Michigan
Spruce Knob Seneca Rocks Telephone Co., West Virginia
Stayton Cooperative Telephone Company, Oregon
Tidewater Telephone Company, Maine
Tohono O'odham Utility Authority, Arizona
Townes Telecommunications Services, Florida
Triangle Telephone Cooperative Association, Inc., Montana
Trumansburg Telephone Co., New York
Valley Telecommunications, Montana
Valley Telephone Cooperative Arizona and New Mexico
Viola Home Telephone Co., Illinois
West Side Telephone Company, West Virginia
West Tennessee Telephone Co., Inc., Tennessee
Wilkes Telephone & Electric Company, Georgia
Winnebago Cooperative Telephone Association, Iowa

CERTIFICATE OF SERVICE

I, Nancy Wilbourn, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify the foregoing "Petition for Reconsideration and/or Clarification" was served on this 14th day of June 2001 by first class, U.S. Mail, postage prepaid or via hand delivery to the following parties:


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